

**REMARKS**

In view of the above amendments and the following remarks, reconsideration and withdrawal of the rejections of the claims is respectfully requested. By way of the present response, claims 1, 7, 8, 10, 14-17, 20, 24, 25, and 31-33 have been amended. Claims 1-33 currently are pending. Claims 4-6 and 28-30 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species.

In response to Applicants' traversal of the Examiner's statement, "Currently, no claim are generic," the original restriction requirement mailed on March 17, 2006 is directed to claims 2-6 and 26-30, and that the non-elected claims 4-6 and 28-30 that depend from any allowed claims will be rejoined and also allowed.

On page 2 of the Office Action, claims 1, 7-25, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smirnov et al. (US 6,279,009 – hereafter Smirnov). On page 5 of the Office Action, claims 2, 3, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smirnov as applied to claims 1 and 17 above, and further in view well known prior art. Regarding independent claims 1 and 17, the Examiner asserts that Smirnov teaches a system comprising a server (fig. 5) including a modeling module (model, column 10, line 1-10, of the model, column 5, lines 20-35) that receives (note) modeling parameters (column 4, lines 16-45) from a remote print shop (remote manufacturing facilities, column 6, lines 24-30, column 9, lines 5-25); and executing a modeling program (column 10, lines 1-10) using the modeling parameters generate model output data (workflow, column 10, lines 10-20).

The Examiner further asserts that Smirnov teaches a model should be directly, continuously updated with information regarding the real world manufacturing environment, *e.g.*, as resources are taken off or added, column 5, lines 20-35, column 8, lines 20-32. Since the manufacturing environment of the remote print shop/manufacturer is located in the remote print shop/manufacturer, it would have been obvious that the update information are received from the remote print shop/manufacturer.

However, Applicants' amended independent claim 1 recites, *inter alia*, the features of "receiving modeling parameters from a plurality of remote print shops; and for

each print shop, remotely executing a modeling program using the modeling parameters to generate model output data, wherein the modeling program is configured to perform model hypothetical studies based on the modeling parameters.” Furthermore, Applicants’ amended independent claim 17 recites, *inter alia*, the features of “a server including a modeling module that receives modeling parameters from a plurality of remotely located print shops and generates model output data, wherein the modeling module is configured to perform model hypothetical studies based on the modeling parameters.” (See Applicants’ specification at paragraphs 13, 14, and 30.) Smirnov fails to teach or suggest these features. Smirnov only discloses making real world updates 138 to model 130 in order for a scheduler 132 to make workflow updates due to any real world changes in a single print shop environment. (See col. 10, lines 30-35 and FIG. 5.) Smirnov is silent to any teaching of a plurality of remote print shops as presently claimed.

The claimed subject matter facilitates the ability to access modeling services which provides a significant savings to a print shop when compared to the capital expenditures required of dedicated modeling services. A centralized location for the server enables the capital expenditure of the system to be shared by several remotely located print shops who subscribe to the system, thereby drastically reducing the cost to each print shop and without degrading the quality of modeling services available to the subscribing print shops. Print shop managers may access the server which may be in communication with the equipment in their print shop and quickly determine the capacity of their print shop to handle new jobs. Over time, information about each remote print shop and the corresponding print jobs may be collected by the server and stored in a database. The collected information may then be used to analyze the mix of jobs performed by a remote print shop and the results of that analysis may be used to establish a more efficient print shop layout.

In light of the foregoing arguments, withdrawal of the rejection of claims 1, 7-25, and 31-33 under 35 U.S.C. §103(a) as being unpatentable over Smirnov is respectfully requested.

Regarding claims 2, 3, 26, and 27, the Examiner admits that Smirnov does not teach wherein the modeling parameters are received via the Internet (Web based connection), but takes Official Notice that it is allegedly well known in the art that a quickest, easy and

cheap way of continuously, remotely updating information to a computer system is through the use of Internet. Next, the Examiner concludes that it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Smirnov to include receiving modeling parameters via the Internet.

Applicants' do not agree with the Official Notice taken by the Examiner and respectfully request a presentation of prior art to support it. Furthermore, the Examiner's Official Notice does not cure the deficiencies of Smirnov mentioned above. Therefore, Applicants respectfully submit that independent claims 1 and 17 are allowable as discussed previously. Further, any claim that depends from an allowable claim is allowable as well. Thus, Applicants respectfully request that the rejection of dependent claims 2, 3, 7-16, 18-27, and 31-33 likewise be removed.

In light of the foregoing arguments, withdrawal of the rejection of claims 2, 3, 26, and 27 under 35 U.S.C. §103(a) as being unpatentable over Smirnov as applied to claims 1 and 17, and further in view of well known prior art is respectfully requested.

In view of all of the foregoing, applicant submits that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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